

HARBOROUGH DISTRICT COUNCIL
MINUTES OF THE MEETING OF THE PLANNING COMMITTEE

Held at the Council Chamber
The Symington Building, Adam & Eve Street,
Market Harborough, LE16 7AG
on Tuesday 20th July 2021
commencing at 6.30pm.

Present:

Councillors: Champion (Chairman), Mrs Ackerley, Mrs. Burrell, Elliott, James, Liquorish, Modha (Vice-Chairman) and Mrs Robinson.

Officers: E. Baumber, A. Eastwood, J. Felton, S. Green, N. Kwasa, and M. Patterson.

Apologies:

Councillors: , Frenchman, Galton and Nunn.

1. INTRODUCTIONS

The Chairman welcomed everyone to the meeting and highlighted the procedures for the smooth running of the meeting.

2. APOLOGIES FOR ABSENCE AND NOTIFICATIONS OF SUBSTITUTIONS

Apologies were received from Councillor Simon Galton and Councillor Amanda Nunn who were substituted by Councillor Peter Elliott and Councillor Mrs Geraldine Robinson, respectively. Apologies were also received from Councillor Barry Frenchman.

3. DECLARATIONS OF MEMBERS' INTERESTS

Councillor Mrs Ackerley declared an interest in application 21/00677/REM in that she is the Chairman of the Lutterworth Area Community Fund who receive funding from the applicant GLP. She noted that she would withdraw from the meeting at the appropriate time and would not take part in the discussion or vote. She also declared an interest in relation to Item 8, Officer report: Amendments to Agreed S106 Contributions Lutterworth East in that she is a Member of the Town Council but that this would not impact on her assessment of the application.

Councillor Mrs Robinson declared an interest in application 21/00677/REM in that she is the Chairman of Lutterworth Town Estates Charity who receive funding from the applicant GLP. She noted that she would withdraw from the meeting at the appropriate time and would not take part in the discussion or vote.

Councillor Champion declared an interest in application 21/00983/FUL in that he is the Applicant, and in Item 8, Officer report: Amendments to Agreed S106 Contributions Lutterworth East in that he is a County Councillor for the Applicant, Leicestershire County Council. He noted that he would leave the meeting at the appropriate time and would not take part in the discussion or vote.

4. MINUTES

RESOLVED that the minutes of the Planning Committee meeting held on 1st June 2021 (continuation of the meeting on 11th May 2021) AND the minutes of the Extraordinary meeting of the Planning Committee held on 15th June 2021 be approved and signed by the Chairman as a true record.

5. REFERRALS UP TO COUNCIL BY THE PLANNING COMMITTEE

There were none.

6. QUESTIONS AND PETITIONS SUBMITTED BY THE PUBLIC

There were none.

7. APPLICATIONS FOR DETERMINATION

Prior to the meeting at the request of the Chairman the running order of applications was amended as follows;

- 21/00798/FUL- Market Harborough
 - 21/00770/FUL - Kibworth Harcourt
 - 21/00567/FUL- Great Bowden
 - 20/01783/FUL – Bitteswell
 - 20/00770/FUL - Market Harborough
 - 21/00340/FUL – Lutterworth
 - 21/00677/REM - Bitteswell with Bittesby
 - 21/00983/FUL - Market Harborough
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- i. The Planning Officer introduced the report in respect of application 21/00798/FUL - Removal of existing workshop/garage and erection of a dwelling (revised scheme of 19/01900/FUL), Land Opposite No 10 Harrod Drive, Market Harborough.

Councillor Knowles joined the meeting remotely to present his reasons for calling in the application to the Committee. He noted that he had been contacted by a number of people both in favour of and against the application and felt that for purposes of transparency that the application should be determined by the Committee.

The Development Planning Manager noted that the first speaker in objection to the application, Chris Gilliam, had been expecting to join the Committee meeting remotely, as he had previously when remote committee meetings had been permitted under The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020. After the 7th May 2021 these regulations no longer applied and as all speakers are required to present their submissions to the Committee in person, he would be unable to participate. The Development

Planning Manager noted that he would contact Mr Gilliam to express his apologies that this information may not have been clearly communicated but that he felt there were still sufficient representations, both in support of and against, to determine the application. It was then confirmed that the remaining two speakers in objection would receive 4.5 minutes each in line with the Council's Constitution which states that;

'[Speakers] can address the Planning Committee for up to 3 minutes as a representative of the following:

An objector to a proposal (Maximum of 3 Speakers or the same amount of time as allowed for supporters, whichever is the greater);'

Representations were heard in objection to the application from David Morris and Tim Pepper and in support of the application from Mr V Pabari, Mr P Baildon and Miss K Pabari. Members had the opportunity to question the speakers and Officers. Following the discussion, it was;

RESOLVED that Planning Permission is REFUSED, as outlined in the report for the following reason:

The development by virtue of its scale, siting, materials and appearance, would have an unacceptably harmful effect on the character and appearance of the area. The proposal would not accord with Policy GD8 (b) and (d) of the HLP.

- ii. The Planning Officer introduced the report in respect of application 21/00770/FUL - Erection of a detached dwelling, alteration to access, amenity space and associated works, 87 Leicester Road, Kibworth Harcourt.

Members had the opportunity to question the Officers. Following the discussion, it was;

RESOLVED that Planning Permission is APPROVED for the reasons set out in the report and subject to the Planning Conditions outlined in Annexe A of the report.

- iii. The Development Planning Manager introduced the report in respect of application 21/00567/FUL- Erection of a dwelling (Revised Scheme of 19/01211/FUL), 41 Main Street, Great Bowden.

He directed Members to the Supplementary Information which had been published online and circulated to Members of the Committee before the meeting and it was noted that there had been no Highways objections. Representations were heard in objection to the application from Pauline Anstead, Nicholas Anstead and Edwin Gregory. Members had the opportunity to question the speakers and Officers. Following the discussion, Councillor Mrs Burrell moved that the application be REFUSED, contrary to Officer Recommendations, for the following reasons;

The proposal by virtue of its design including extensive excavation and backland nature will represent inappropriate garden development by virtue of its size, siting and appearance and have a detrimental impact towards neighbouring amenity, including potentially during construction through export of excavated material. The proposal is therefore contrary to Harborough Local Plan policy GD8 1 (e(i) and e(ii)) and Great Bowden Neighbourhood Plan (May 2020) policy H6 e.

This was seconded by Councillor Modha. The motion was taken to the vote and it was therefore;

RESOLVED that the application be REFUSED for the reasons noted above.

- iv. The Development Planning Manager introduced the report in respect of application 20/01783/FUL – Change of use of land from 1 traveller pitch and stables to the provision of 5 traveller pitches for extended family (additional 4 pitches), Mere Meadows, Mere Road, Bitteswell, Leicestershire, LE17 4LH.

He directed Members to the Supplementary Information which had been published online and circulated to Members of the Committee before the meeting and it was noted that further comments had been received on the day, including the registered public speaker who was unable to attend and had circulated additional information to the Committee prior to the meeting. Members had the opportunity to question Officers and during the discussion requested that the meeting be briefly adjourned to allow time to read the additional information. The Chairman adjourned the meeting at 20.10 and it recommenced at 20.25. Following the discussion, Councillor Liquorish moved to APPROVE the application as per Officer recommendations, this was seconded by Councillor Mrs Burrell. This was taken to the vote and the motion was LOST. Councillor Modha then moved that the application be REFUSED, contrary to Officer Recommendations, for the following reason;

That the Council has a supply of pitches to meet its identified need and there are vacant pitches at the larger site. The proposal is therefore contrary to Local Plan policy H6(1).

This was seconded by Councillor Mrs Robinson. The motion was taken to the vote and it was therefore;

RESOLVED that the application be REFUSED for the reason noted above.

- v. The Planning Officer introduced the report in respect of application 20/00770/FUL – Conversion of offices to 21 dwellings and erection of rear extension, Fisher German, 40 High Street, Market Harborough, Leicestershire.

Representations were heard in objection to the application from Dylan Jones. Members had the opportunity to question the speaker and Officers. Following the discussion it was,

RESOLVED that Planning Permission is APPROVED for the reasons set out in the report, subject to the completion of a Section 106 obligation of a viability review mechanism to secure contributions mitigating development impacts in the event the development benefits from a favourable change in viability not currently identified, and subject to the Planning Conditions outlined in Appendix B of this report.

- vi. The Development Planning Manager introduced the report in respect of application 21/00340/FUL – Erection of 33 dwellings, associated car parking provision and ancillary works in respect of Phase 4 of 15/01665/OUT, Land At Coventry Road, Lutterworth.

Members had the opportunity to question the Officers. Following the discussion it was,

RESOLVED that Planning Permission is APPROVED for the reasons set out in the report and subject to the conditions as set out in Appendix A, (including an amendment to Condition 4 to include maintenance and protection of any trees to be retained), and Section 106 contributions in Appendix B.

Councillors Mrs Ackerley and Mrs Robinson left the meeting room. The Chairman then proposed that the meeting be extended in line with the Council's Constitution which states that,

'Unless the majority of Members present vote for the meeting to continue, any meeting which has not been completed when three hours have elapsed after the commencement of the meeting will adjourn immediately.'

The proposal to extend the meeting was AGREED.

- vii. The Strategic Growth Team Leader introduced the report in respect of application 21/00677/REM - Application for the approval of reserved matters (layout, scale, appearance, landscaping and internal access) plots I and H of hybrid application ref 15/01531/OUT and APP/F2415/W/18/3206289.

Members had the opportunity to question the Officers. Following the discussion it was,

RESOLVED that Planning Permission is APPROVED, for the reasons set out in the report and subject to the recommended conditions set out in Section 8 of this report.

Councillors Mrs Ackerley and Mrs Robinson re-entered the meeting room. Councillor Champion left the meeting room and Councillor Modha continued the meeting as Vice-Chairman.

- viii. The Planning Officer introduced the report in respect of application 21/00983/FUL – Conversion of double garage into reception, bedroom and wet room for elderly relative, erection of a workshop and erection of a tool shed in rear garden, enlargement of front drive to accommodate additional two cars with permeable (resin bound) surface, 36 Alvington Way, Market Harborough.

Members had the opportunity to question the Officers. Following the discussion it was,

RESOLVED that Planning Permission is APPROVED, for the reasons set out in the report and subject to the Planning Conditions set out in Annexe A of this report.

8. OFFICER REPORT: AMENDMENTS TO AGREED S106 CONTRIBUTIONS LUTTERWORTH EAST

The Strategic Growth Team Leader presented the report, the purpose of which was;

- 1.1 To decide whether the agreed Section 106 contributions should be amended to reflect

ongoing discussions between the Applicants (Leicestershire County Council) and Harborough District Council and changes to circumstances since the Planning Committee meeting of the 28th July 2020.

1.2 To note the additional Case Law that has become available since the Planning Committee considered the draft S106 Headings in relation to S106 funding of University Hospitals of Leicester at their meeting on 28th July 2020.

1.3 To note relevant additions to the Development Plan since the Planning Committee considered the application at their meeting on 28th July 2020.

The wording of the recommendations had been slightly amended in the Supplementary Information and following the discussion of the report, the Committee requested that the recommendations be further amended to include delegation to the Development Planning Manager *in consultation with the Portfolio Holder for Planning*. It was therefore,

RESOLVED;

2.1 To agree that the agreed S106 Contributions be amended (as per Appendix B – Obligation for Leisure Centre Land) to reflect ongoing discussions by including the principle of the requirement for land to be reserved for the provision of a Leisure facility on site, with Delegated Authority given to the Development Planning Manager in conjunction with the Portfolio Holder for Planning to agree the final amount of land to be safeguarded, the final wording and trigger points of the obligations.

2.2 To agree that the agreed S106 Contributions be amended (as per Appendix B – Obligation for Wheelie Bins) to reflect the requirement for funding for the provision of Wheelie Bins to domestic properties, with Delegated Authority given to the Development Planning Manager in conjunction with the Portfolio Holder for Planning to confirm detail (including trigger and phasing) of this request.

2.3 To agree that the agreed S106 Contributions be amended (as per Appendix B – Obligation for Education) to reflect the increased cost of providing the required Primary Schools on site, with Delegated Authority given to the Development Planning Manager in conjunction with the Portfolio Holder for Planning to agree the final level of contribution.

2.4 To note that there have been further cases nationwide in relation to the funding of NHS Trusts, but that these do not change the opinion of HDC Officers and Legal Advisors.

2.5 To note that the Misterton with Walcote Neighbourhood Plan has now been adopted, and that, as such, it forms part of the Development Plan in the consideration and determination of Planning Applications.

9. URGENT MATTERS

There were no urgent matters to consider.

The meeting finished at 21.55